

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KENNETH R. REID, et al.	:	Civil No. 1:16-cv-1403
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
WARDEN J. EBBERT, et al.,	:	
	:	
Defendants.	:	Judge Sylvia H. Rambo

MEMORANDUM

Before the court is a report and recommendation filed by the magistrate judge which addresses Plaintiff Kenneth R. Reid's request for a temporary restraining order/preliminary injunction against certain correction officers at USP Lewisburg. (Doc. 36.)

Reid alleges that the Defendants are issuing false incident reports, are placing hard restraints on him, and using excessive force against him. The magistrate judge recommends that the issuance of these extraordinary reliefs be denied. The magistrate judge opines that Reid has failed to meet the four requirements for the grant of such relief. Specifically, the magistrate judge concludes that Reid has not met the requirements that there must be a showing of irreparable harm and that the type of harm he is claiming can be redressed by legal compensation in money or other equitable remedies.

In his response to the report and recommendation, Reid alleges that the actions by the prison officials are ongoing. (Doc. 37.) However, he refers to incidents on December 4, 2015, February 10, 2016, September 5, 2016, September 16, 2016, October 10, 2016, and November 3, 2016. (*Id.*) All of these incidents occurred before the filing of the report and recommendation on November 15, 2016. Reid's response does not establish a clear showing of immediate irreparable injury.

The report and recommendation will be adopted.

s/Sylvia Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: December 14, 2016